39. (withdrawn)

40. (original) The disk drive of claim 38 wherein the pedestal pole piece has a width which is substantially wider than a width of the tip of the second pole piece (P2).

41. (original) The disk drive of claim 38 wherein the second pole piece (P2) has a narrowest extent at the write gap and flares out to a widest extent forming a stitch area in contact with the third pole piece (P3).

42. (withdrawn)

Rejections

The Office Action rejected claims 1-4, 6-7 and 10-15 under section 102(e) as being anticipated by Sasaki 6525903. Applicants have amended independent claims 1, 10 and 38 to more clearly distinguish over Sasaki '903. In Applicants' specification it is noted that "The P3 may extend over the P2 pole piece to the ABS or it may extend only over a rear stitch portion of the P2." (See for example, the summary of the invention). The option of extending P3 to the air-bearing surface is also specifically illustrated in Figure 11 where the third pole piece P3 (element 53) is shown as extending to the air-bearing surface. The specification also makes it clear that the option of extending the P3 to the air-bearing surface is independent of the embodiment of Figure 11. (See page 11, lines 13-26). Therefore, Applicants have amended independent claims 1, 10 and 38 to include the Applicants embodiment with the P3 extending to the air-bearing surface.

Claim 1 has been amended to include the following:

> a third pole piece of ferromagnetic material extending to the air-bearing surface and contacting the second pole piece at the air-bearing surface and extending toward the back of the yoke...

Similar changes have been made in claims 10 and 38.

Applicants respectfully submit that in each of Sasaki's embodiments the third pole piece ends away from the air-bearing surface. The element labeled 15a in Sasaki's drawings

corresponds to the P3 pole piece in Applicants' terminology. Element 15a as shown in Sasaki's Figure 7A does not extend to the air-bearing surface. At col. 14, lines 17-21:

In the embodiment, the end face of the first portion 15a of the top pole layer that faces toward a recording medium (the air bearing surface) is placed at a distance (the right side of each of the drawings) from the surface of the thin-film magnetic head that faces toward the recording medium.

And again at col. 16, lines 1-4:

According to the embodiment, the air-bearing-surface-side end of the first portion 15a of the top pole layer is located at a distance from the air bearing surface of the thin-film magnetic head. Consequently, even if the throat height is low, the first portion 15a is not exposed from the air bearing surface.

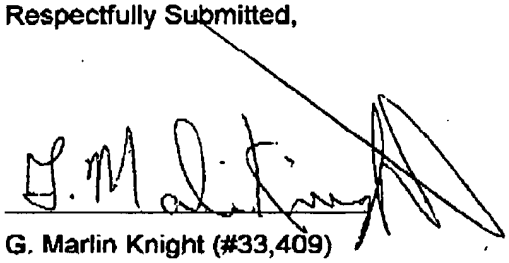
Sasaki's Figure 16A shows the P3 pole piece (element 15a) recessed from the air-bearing surface on the left of the figure and the supporting text at col. 18, lines 43-47 confirms that his teaching is that P3 not extend to the air-bearing surface.

Claims 38 and 40-41 were also rejected on the basis of Sasaki's teaching, but under section 103(a). Claims 40-41 depend from claim 38. Therefore, the amendment to claim 38 also overcomes this rejection for the reasons discussed above.

Conclusion

Applicants respectfully submits that the foregoing amendment and arguments have overcome the references cited in support of the previous rejections. Each of the independent claims cited in the rejection have been amended to clearly distinguish over Sasaki '903. The Applicants, therefore, respectfully request that the rejections be withdrawn and that the claims in question be allowed and that linked claims 5, 8-9, 16 and 39 in elected Group 1 be examined and allowed as well.

Respectfully Submitted,



G. Marlin Knight (#33,409)
PO Box 1320
Pioneer, CA 95666
209-295-1982